



PUBLIC NOTICE

Federal Communications Commission
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DA 07-5005

Released: December 14, 2007

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF NTS COMMUNICATIONS, INC. TO XPHONE, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-272

Comments Due: December 28, 2007
Reply Comments Due: January 4, 2008

The following application was filed pursuant to section 63.03 of the Commission's rules for the transfer of control of NTS Communications, Inc. (NTS) to Xfone, Inc. (Xfone) (together, Applicants).¹ NTS, a Texas corporation, provides resold long distance services in the states of Arizona, Colorado, Kansas, New Mexico, and Oklahoma. Xfone USA, Inc. (Xfone USA), a Nevada corporation, is the only domestic telecommunications affiliate of Xfone, Inc. Xfone USA provides resold local and long distance telecommunications services in the states of Alabama, Florida, Georgia, and Louisiana. Abraham Keinan, Chairman of the Board of Xfone and an Israeli and British citizen, owns a 29.31 percent interest in Xfone. Campbeltown Business Ltd. (Campbeltown), a British Virgin Island private investment company, holds a 10.44 percent interest in Xfone. Neither Abraham Keinan nor Campbeltown own a 10 percent or greater interest in any other telecommunications provider. Guy Nissenson, a citizen of Argentina and Israel, and other members of the Nissenson family own a 20 percent interest in Campbeltown. Pursuant to a Stock Purchase Agreement executed between the parties, Xfone will acquire all of NTS' issued and outstanding stock. Following consummation of the proposed transaction, NTS will become a wholly owned subsidiary of Xfone. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules, and that a grant of the application will serve the public interest, convenience, and necessity.²

Application Filed for the Transfer of Control of NTS Communications, Inc. to
Xfone, Inc., WC Docket No. 07-272 (filed Nov. 16, 2007).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on December 7, 2007.

² 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before December 28, 2007**, and reply comments **on or before January 4, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov, and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257,

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Dennis Johnson at 202 / 418-0809.

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